

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on March 19, 2007 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Duane Ankney, Vice Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Debby Barrett (R)
Rep. Gary Branae (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Bruce Malcolm (R)
Rep. Walter McNutt (R)
Rep. Alan Olson (R)
Rep. Mike Phillips (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Absent: None.

Staff Present: Katie Butcher, Committee Secretary
Sheri Heffelfinger, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 269,SB 270,SB 295,HB 814, HJR 45
Executive Action:	HJR 45,SB 102,SB 168, SB 239,SB 359
	HB 95,HB 125,HB 131,HB 159

HEARING ON SB 295

Opening Statement by Sponsor:

00:02:30 Sen. Bill Tash (R), SD 36, opened the hearing on SB 295, Statutorily providing for Montana National Guard Youth Challenge program.

Proponents' Testimony:

00:06:32 Reid Lund, Director, Montana Youth Challenge Program
00:06:50 Erik Feaver, MEA-MFT

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:32 Rep. Ingraham
00:08:00 Sen. Tash
00:08:41 Rep. Dickenson
00:09:05 Sen. Tash
00:10:39 Rep. Dickenson
00:11:09 Mr. Lund
00:14:07 Rep. Barrett

Closing by Sponsor:

00:14:46 Sen. Tash

HEARING ON HJR 45

Opening Statement by Sponsor:

00:16:28 Rep. Bill Thomas (D), HD 26, opened the hearing on HJR 45, Study to examine options for state document systems to reflect actual names.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:19:51 Rep. Barrett
00:20:05 Rep. Thomas

Closing by Sponsor:

00:21:30 Rep. Thomas

HEARING ON HB 814

Opening Statement by Sponsor:

00:22:15 Rep. Robin Hamilton (D), HD 92, opened the hearing on HB 814, Revise post retirement benefits and increases in statewide police retirement system.

Proponents' Testimony:

00:23:22 Frank Cole

[EXHIBIT\(sth58a01\)](#)

[EXHIBIT\(sth58a02\)](#)

Opponents' Testimony:

00:39:38 Melanie Symons, Montana Public Employee Retirement Administration

[EXHIBIT\(sth58a03\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:36 Rep. Malcolm

00:46:48 Ms. Symons

00:48:08 Rep. Malcolm

00:48:16 Mr. Cole

00:49:23 Rep. Dickenson

00:49:53 Ms. Symons

00:50:10 Roxanne Minnehan, Montana Public Employee Retirement Administration

Closing by Sponsor:

00:51:23 Rep. Hamilton

HEARING ON SB 269

Opening Statement by Sponsor:

00:52:02 Sen. Lane Larson (D), SD 22, opened the hearing on SB 269, Revise standards for recorded documents.

Proponents' Testimony:

00:53:02 Russ Gowen, Montana Land and Title Association

[EXHIBIT](#)(sth58a04)

00:54:42 Robert Throssell, Montana Association of Clerks and
Recorders

00:57:34 Bonny Ramey, Jefferson County Clerk and Recorder

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:58:53 Sen. Larson

HEARING ON SB 270

Opening Statement by Sponsor:

00:59:18 Sen. Lane Larson (D), SD 22, opened the hearing on SB
270, Revise filing deadline for independent candidates,
minor parties.

[EXHIBIT](#)(sth58a05)

Proponents' Testimony:

01:00:34 Cheryl Wood, Montana Association of Counties (MACo)

01:01:11 Robert Throssell, Montana Association of Clerks and
Recorders

01:02:24 Elaine Gravely, Secretary of State's Office

01:02:48 Bonny Ramey, Jefferson County Clerk and Recorder

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:03:34 Sen. Larson

EXECUTIVE ACTION ON HJR 45

01:04:31 **Motion:** Rep. Olson moved that **HJR 45 BE ADOPTED.**

Discussion:

01:04:52 Rep. Hendrick

01:05:20 Rep. Olson

01:05:38 Rep. Jones

01:06:53 **Vote:** Motion carried 15-3 by voice vote with Rep. Hendrick, Rep. Malcolm voting no. Rep. Sales voted no by proxy. Rep. Phillips, Rep. Small-Eastman, Rep. Jacobson voted yes by proxy.

EXECUTIVE ACTION ON SB 102

01:11:08 **Motion:** Rep. Ingraham moved that **SB 102 BE CONCURRED IN.**

01:11:16 **Motion:** Rep. Ingraham moved that **SB 102 BE AMENDED.**
EXHIBIT(sth58a06)

01:14:22 **Vote:** Motion carried unanimously by voice vote. Rep. Barrett, Rep. Sales, Rep. Phillips, Rep. Jacobson, and Rep. Small-Eastman voted by proxy.

01:15:05 **Motion/Vote:** Rep. Ingraham moved that **SB 102 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Rep. Sales, Rep. Barrett, Rep. Jacobson, Rep. Phillips and Rep. Small-Eastman by proxy.

EXECUTIVE ACTION ON SB 168

01:16:14 **Motion:** Rep. Olson moved that **SB 168 BE CONCURRED IN.**

Discussion:

01:16:49 Rep. Dickenson

01:18:27 Rep. Olson

01:18:36 Rep. Dickenson

01:19:09 Rep. Jones

01:19:30 **Vote:** Motion carried unanimously by voice vote. Rep. Barrett, Rep. Sales, Rep. Jacobson, Rep. Phillips Rep. Small-Eastman voted by proxy.

EXECUTIVE ACTION ON SB 239

01:20:43 **Motion:** Rep. Olson moved that **SB 239 BE CONCURRED IN.**

Discussion:

01:20:55 Rep. Ingraham

01:21:12 **Vote:** Motion carried unanimously by voice vote.
Rep. Barrett, Rep. Sales, Rep. Phillips, Rep. Small-Eastman, Rep. Jacobson voted by proxy.

EXECUTIVE ACTION ON SB 359

01:22:01 **Motion:** Rep. Olson moved that **SB 359 BE CONCURRED IN.**

Discussion:

01:22:22 Rep. Dickenson

01:25:08 Rep. Wilmer

01:25:22 Rep. Dickenson

01:26:04 Rep. Jones

01:26:34 Rep. Olson

01:29:28 Rep. Wilmer

01:31:02 Rep. Hendrick

01:31:59 Rep. Malcolm

(Rep. Phillips arrived)

01:35:30 Rep. Dickenson

01:36:20 **Vote:** Motion carried 14-4 by roll call vote with Rep. Caferro, Rep. Dickenson, Rep. Ingraham, and Rep. Sales voting no. Rep. Sales, Rep. Small-Eastman, Rep. Jacobson, Rep. Barrett voted by proxy.

01:38:44 Sheri Heffelfinger

01:41:07 Break

02:32:44 Reconvene

EXECUTIVE ACTION ON HB 95

02:33:01 **Motion:** Rep. Olson moved that **HB 95 DO PASS.**

Discussion:

02:34:12 Rep. Ingraham

02:34:31 Rep. Olson

02:34:51 Rep. Henry
02:36:09 Rep. Dickenson
02:38:18 Rep. Jones
02:39:36 Rep. Phillips
02:40:15 Rep. Wilmer
02:42:15 Rep. Phillips
02:42:31 Rep. Olson

02:45:44 **Vote:** Motion carried 15-3 by roll call vote with Rep. Himmelberger, Rep. Malcolm, and Rep. Sales voting no. Rep. Sales by proxy. Rep. Small-Eastman, and Rep. Jacobson voted aye by proxy.

EXECUTIVE ACTION ON HB 125

02:46:53 **Motion:** Rep. Olson moved that **HB 125 DO PASS.**

Discussion:

02:47:21 Rep. Wilmer
02:47:57 Rep. Olson
02:48:26 Rep. Ingraham
02:49:37 Sheri Heffelfinger
02:49:59 Rep. Dickenson
02:50:31 Rep. Olson
02:50:49 Rep. Phillips

02:51:25 **Vote:** Motion carried 17-1 by roll call vote with Rep. Sales voting no. Rep. Sales, Rep. Jacobson and Rep. Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HB 131

02:52:53 **Motion:** Rep. Olson moved that **HB 131 DO PASS.**

02:53:50 **Motion:** Rep. Olson moved that **HB 131 BE AMENDED.**
EXHIBIT(sth58a07)

Discussion:

02:55:57 Rep. Barrett
02:56:01 Rep. Olson
02:56:27 Sheri Heffelfinger
02:57:46 Rep. Jones
03:02:06 Rep. Phillips
03:02:49 Rep. Wilmer
03:03:48 Rep. Olson

03:06:11 **Vote:** Motion failed 8-10 by roll call vote with Rep. Barrett, Rep. Branae, Rep. Caferro, Rep. Henry, Rep. Jacobson, Rep. Olson, Rep. Phillips, and Rep. Small-Eastman voting aye. Rep. Small-Eastman, Rep. Sales, Rep. Jacobson, and Rep. Olson voted by proxy.

03:07:50 **Motion:** Rep. Ankney moved that **HB 131 BE AMENDED.**
EXHIBIT(sth58a08)

Discussion:

03:11:59 Sheri Heffelfinger
03:18:45 Rep. Henry
03:21:00 Rep. Phillips
03:21:38 Sheri Heffelfinger
03:22:00 Rep. Wilmer
03:23:52 Sheri Heffelfinger

03:24:50 **Vote:** Motion carried unanimously by roll call vote. Rep. Sales, Rep. Jacobson and Rep. Small-Eastman voted by proxy.

03:26:14 **Motion:** Rep. Olson moved that **HB 131 BE AMENDED.**

Discussion:

03:26:56 Rep. Ankney
03:27:40 Rep. Henry
03:28:16 Rep. Olson
03:30:28 Rep. Dickenson
03:33:07 Rep. Malcolm

03:33:50 **Vote:** Motion carried 11-7 by roll call vote with Rep. Barrett, Rep. Caferro, Rep. Dickenson, Rep. Hendrick, Rep. Jacobson, Rep. McNutt, and Rep. Olson voting no. Rep. Small-Eastman, Rep. Jacobson and Rep. Sales voted by proxy.

EXECUTIVE ACTION ON HB 159

03:36:07 **Motion:** Rep. Hendrick moved that **HB 159 DO PASS.**

Discussion:

03:36:20 Rep. Olson
03:36:46 Rep. Caferro
03:37:01 Rep. Himmelberger
03:37:16 Sheri Heffelfinger

03:37:41 **Motion:** Rep. Olson moved that **HB 159 BE AMENDED.**
EXHIBIT(sth58a09)

Discussion:

03:37:45 Sheri Heffelfinger
03:40:03 Rep. Olson
03:41:05 Rep. Dickenson
03:42:04 Rep. Olson
03:42:08 Sheri Heffelfinger
03:42:27 Rep. Ingraham

03:42:52 **Vote:** Motion carried 17-1 by roll call vote with Rep.
Sales voting no. Rep. Sales, Rep. Small-Eastman, Rep.
Jacobson, Rep. Wilmer voted by proxy.

03:44:09 **Motion:** Rep. Olson moved that **HB 159 DO PASS AS**
AMENDED.

Discussion:

03:44:31 Rep. Barrett

03:45:06 **Vote:** Motion failed 7-11 by roll call vote with Rep.
Barrett, Rep. Caferro, Rep. Dickenson, Rep. Hendrick,
Rep. Jacobson, Rep. McNutt, and Rep. Olson voting aye.
Rep. Wilmer, Rep. Jacobson, Rep. Small-Eastman, Rep.
Sales voted by proxy.

03:46:24 **Motion/Vote:** Rep. Ankney moved that **HB 159 BE TABLED.**
Motion carried 14-4 by voice vote with Rep. Caferro,
Rep. Dickenson, Rep. Jacobson, and Rep. Olson voting
no. Rep. Wilmer, Rep. Jacobson, Rep. Small-Eastman,
Rep. Sales voted by proxy.

03:47:29 Rep. Olson

Additional Exhibits:

Document pertaining to SB 269.
EXHIBIT(sth58a10)

ADJOURNMENT

03:47:42 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

KATIE BUTCHER, Secretary
FOR DEE BARFKNECHT

DH/kb

Additional Exhibits:

EXHIBIT ([sth58aad.pdf](#))